

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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|-----------------------------------|---|----------------------------|
| KEITH JOHNSON, |) |) |
| Plaintiff, |) | Case No. 08 CV 01526 |
| vs. |) | JUDGE ST. EVE |
| CITY OF CHICAGO, ILLINOIS, |) | MAGISTRATE JUDGE |
| CHICAGO POLICE OFFICER |) | SHENKIER |
| V. R. STINAR, Star No. 4017, |) | |
| CHICAGO POLICE OFFICER L. PIERRI, |) | |
| Star No. 10956, |) | |
| Defendants. |) | JURY TRIAL DEMANDED |

PLAINTIFF'S INTIAL STATUS REPORT

A. NATURE OF THE CASE

1. Attorneys of Record

Plaintiff Keith Johnson is currently represented by Jeffrey Granich (lead trial attorney) and Katie Ehrmin. A motion to substitute attorney Katie Ehrmin for attorney Josh Freidman is anticipated to be filed shortly.

To date, no attorneys have filed appearances or answers on behalf of Defendants.

2. Jurisdiction and Claims

This is an action arising under federal and state law. Jurisdiction is proper under 42 U.S.C. § 1983, 28 U.S.C. §§ 1331 and 1343 for plaintiff's federal claims and under 28 U.S.C. §1367 for plaintiff's state law claims.

Plaintiff asserts civil rights claims under 42 U.S.C. § 1983 and state law claims against the Defendant Officers alleging false arrest, unlawful search, malicious prosecution, and intentional infliction of emotional distress. Plaintiff also brings a claim under 42 U.S.C. § 1983 against Defendant City of Chicago for its alleged policies, practices and customs of failing to adequately train, supervise, control and discipline officers.

3. Major Legal and Factual Issues

The major legal and factual issues in this matter are as follows:

- (a) Whether the Defendant Officers subjected plaintiff to a false arrest, unlawful search, malicious prosecution and intentional infliction of emotional distress;
- (b) Whether the Defendant Officers acted maliciously, wantonly, or oppressively in allegedly violating plaintiff's rights;
- (c) Whether Defendant City has a policy or widespread practice of failing to adequately train, supervise, control and discipline officers;
- (d) Whether plaintiff was damaged by the alleged actions of the Defendant Officers and the alleged policies or practices of the City; and
- (e) Whether the Defendant Officers were acting within the scope of their employment at the time of their alleged encounters with plaintiff.

4. Relief Sought

Plaintiff seeks damages in an undetermined amount as of this date.

B. Pending Motions and Case Plan

No motions are pending in this matter.

C. Discovery Plan

A proposal for a discovery plan will be submitted to this Court upon appearances by counsels for Defendants and following a Rule 26(f) conference.

D. TRIAL STATUS

Plaintiff has requested a jury trial. The length of trial and when the case will be ready for trial will be determined jointly with counsels for Defendants.

E. CONSENT TO MAGISTRATE JUDGE

Determination of whether the parties consent to proceed before a magistrate judge will be made jointly with counsels for Defendants.

F. SETTLEMENT

No settlement discussions have been held to date.

Respectfully Submitted,

/s/ Jeffrey B. Granich

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